

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Veterans Affairs Act is
5 amended by changing Section 2.10 as follows:

6 (20 ILCS 2805/2.10)

7 Sec. 2.10. Conflicts with the Nursing Home Care Act. If
8 there is a conflict between the provisions of this Act and the
9 provisions of the Nursing Home Care Act concerning an Illinois
10 Veterans Home not operated by the Department of Veterans'
11 Affairs, then the provisions of the Nursing Home Care Act shall
12 apply. If there is a conflict between the provisions of this
13 Act and the provisions of the Nursing Home Care Act concerning
14 an Illinois Veterans Home operated by the Illinois Department
15 of Veterans' Affairs, then the provisions of this Act shall
16 apply.

17 (Source: P.A. 90-168, eff. 7-23-97.)

18 Section 10. The Nursing Home Care Act is amended by adding
19 Sections 3-101.5 and 3-308.5 as follows:

20 (210 ILCS 45/3-101.5 new)

21 Sec. 3-101.5. Illinois Veterans Homes. An Illinois

1 Veterans Home licensed under this Act and operated by the
2 Illinois Department of Veterans' Affairs is exempt from the
3 license fee provisions of Section 3-103 of this Act and the
4 provisions of Sections 3-104 through 3-106, 3-202.5, 3-208,
5 3-302, 3-303, 3-401 through 3-423, 3-503 through 3-517, and
6 3-603 through 3-607 of this Act. A monitor or receiver shall be
7 placed in an Illinois Veterans Home only by court order or by
8 agreement between the Director of Public Health, the Director
9 of Veterans' Affairs, and the Secretary of the United States
10 Department of Veterans Affairs.

11 (210 ILCS 45/3-308.5 new)

12 Sec. 3-308.5. Facilities operated by Department of
13 Veterans' Affairs; penalty offset.

14 (a) In the case of a veterans home, institution, or other
15 place operated by or under the authority of the Illinois
16 Department of Veterans' Affairs, the amount of any penalty or
17 fine shall be offset by the cost of the plan of correction,
18 capital improvements, or physical plant repairs. For purposes
19 of this Section only, "offset" means that the amount that the
20 Illinois Department of Veterans' Affairs expends to pay for the
21 cost of a plan of correction shall be deemed by the Illinois
22 Department of Public Health to fully satisfy any monetary
23 penalty or fine imposed by the Department of Public Health.
24 Once a fine or monetary penalty is offset pursuant to this
25 Section, in no case may the Department of Public Health, with

1 respect to the offense for which the fine or penalty was
2 levied, continue to purport to impose a fine or monetary
3 penalty upon the Department of Veterans' Affairs for that
4 violation.

5 (b) The Director of Public Health shall issue a Declaration
6 to the Director of Veterans' Affairs confirming the citation of
7 each Type "A" violation and request that immediate action be
8 taken to protect the health and safety of the veterans in the
9 facility.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.